

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

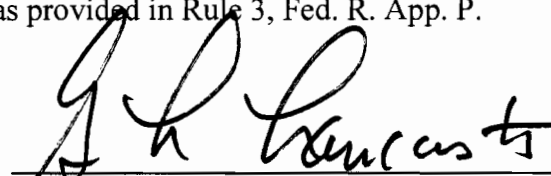
TONIA KIMMICK,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 06-276
)	
GLENN EMBREE,)	Judge Lancaster
)	Magistrate Judge Hay
Defendant.)	

ORDER

AND NOW, this 6th day of September, 2007, after the plaintiff, Tonia Kimmick, filed an action in the above-captioned case, and after a Motion for Summary Judgment was filed by defendant, Glenn Embree, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion for Summary Judgment (Docket No. 11) is GRANTED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desire(s) to appeal from this Order she must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.



GARY L. LANCASTER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Ryan R. Smith, Esquire
Ryan R. Smith Law Offices
1040 Fifth Avenue
Pittsburgh, PA 15219

Suzanne B. Merrick, Esquire
Thomas, Thomas & Hafer LLP
One Oxford Centre
Suite 1150
301 Grant Street
Pittsburgh, PA 15219